

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:08MJ2185AGF
)
MADERIA MACK,)
)
Defendant.)

**ORDER FINDING PROBABLE CAUSE
AND ORDERING PRETRIAL DETENTION**

On September 17, 2008, Defendant Maderia Mack was charged by criminal complaint with possession with the intent to distribute a quantity of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1). Defendant was taken into federal custody on September 17, 2008, and had his initial appearance that same day before the undersigned United States Magistrate Judge. Counsel was appointed for defendant Maderia Mack, and a preliminary examination and a hearing on the government's motion for pretrial detention were scheduled for September 19, 2008.

On September 19, 2008, Defendant appeared with his attorney, Assistant Federal Public Defender Sean Vincenti. The government appeared by Assistant United States Attorney Dean Hoag. The government presented the testimony of Detective Michael Pratt, with the St. Louis Metropolitan Police Department. Based upon the evidence adduced at the preliminary examination, the Court finds probable cause to believe that the offense charged in the complaint was committed by Defendant, and he will be held to answer the charges.

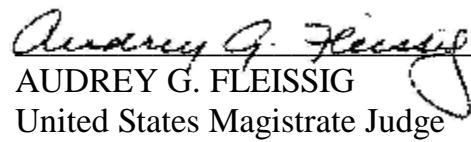
With regard to the government's motion for pretrial detention, neither party had any objections to the Pretrial Services Report ("PSR") dated September 18, 2008. The undersigned therefore adopts and incorporates the information contained in the PSR. After conferring with counsel, and having been advised of his right to a hearing on the government's motion for pretrial detention, Defendant also waived his right to a detention hearing, and agreed to an order of pretrial detention. For the reasons set forth in the PSR, and based upon Defendant's waiver, the undersigned finds that there is no condition or combination of conditions that will reasonably assure Defendant's appearance and the safety of the community, and therefore Defendant should be detained pretrial.

THEREFORE, IT IS HEREBY ORDERED that Defendant be held to answer any timely filed indictment, and this case is passed to **October 17, 2008, at 2:00 p.m.**, for a conference on the status of the prosecution before the undersigned United States Magistrate Judge.

IT IS FURTHER ORDERED, based on Defendant's waiver, that the government's motion for pretrial detention [Doc. #4] is **granted**, and Defendant is ordered to be detained without bond pending the further order of this or another court of competent jurisdiction.

IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on

request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.



AUDREY G. FLEISSIG
United States Magistrate Judge

Dated this 19th day of September, 2008.